

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
DECEMBER 13, 2012**

Town of Bedford
Bedford Town Hall
Lower Level Conference Room

PRESENT: Angelo Colasante, Chair; Brian Gildea, Clerk; Jeffrey Dearing; Stephen Henning; Carol Amick

ABSENT: Kenneth Gordon, Vice Chair; Jeffrey Cohen; Todd Crowley

Mr. Colasante introduced himself and read the emergency evacuation notice. The Zoning Board of Appeals (ZBA) members and ZBA assistant introduced themselves.

PRESENTATION: Mr. Gildea read the notice of the hearing.

PETITION #016-13 – Pamela Brown, Esq., for Brickpoint Properties, Inc., at 36 Middlesex Turnpike, seeks a Special Permit per Section 7.1.2 of the Zoning By-Law to further reduce non-conforming lot landscaping in order to construct addition within existing courtyard.

Pamela Brown, Esq., greeted the Board and explained that she was representing Brickpoint Properties, Inc., which owns the building at 36 Middlesex Turnpike. She stated that the building is U-shaped and the company proposes an “infill” addition which will fill in about half of the middle area; she added that the addition would not be visible from the road. She noted that it would be a one-floor addition that rises slightly above the existing roofline, and will be sided with clear glass to allow all natural light for the workers.

Ms. Brown said that the sole reason for this application was that it would change the already non-conforming minimum lot landscaping on the property: the minimum lot landscaping for an industrial zone is 50%, and the existing lot landscaping on the property was 29.62%. She said that, when she prepared the ZBA application, the proposal involved reducing the lot landscaping from 29.62% to 25.96%; however, the company found a way to add some landscaping to the property, so the new percentage would be over 30% – more than the existing amount.

Mr. Gildea asked whether any green space was lost due to the widening of Middlesex Turnpike. Ms. Brown said she didn’t know for sure but she thought some green space was indeed lost during that process.

Mr. Colasante opened the hearing to the public. With no one from the public in attendance, Mr. Colasante closed the public hearing.

DELIBERATIONS:

Mr. Colasante said that this was a very straightforward Special Permit request. He said that the two conditions of a Special Permit were that the project was in keeping with the intent and purpose of the By-Law and was not injurious or detrimental to the neighborhood, and he felt this application met those requirements. The other members agreed. Mr. Gildea noted that the change is, in some ways, an improvement, since the impervious surface will be reduced.

MOTION:

Mr. Gildea moved to approve Pamela Brown, Esq., for Brickpoint Properties, Inc., at 36 Middlesex Turnpike, a Special Permit per Section 7.1.2 of the Zoning By-Law to further reduce non-conforming lot landscaping in order to construct addition within existing courtyard, substantially as shown on Exhibits A through J.

Mr. Dearing seconded the motion.

Voting in favor: Colasante, Gildea, Dearing, Amick, and Henning

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board has 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision was recorded, the applicant could apply for a Building Permit at the Code Enforcement Department.

Mr. Colasante called for a motion to adjourn the meeting.

MOTION:

Mr. Henning moved to adjourn the meeting.

Mr. Dearing seconded the motion.

Voting in favor: Colasante, Gildea, Dearing, Amick, and Henning

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

The meeting adjourned at 7:55 PM.

Angelo Colasante, Chair

Date

Respectfully Submitted,

Scott Gould
ZBA Assistant